

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALF RENTAL COMPANY, INC.,

Plaintiff,

Docket No.: 07 CV 3148 (LAK)

-against-

ANSWER TO CROSS-CLAIM

BUILDERS RESOURCE, INC., D'ONOFRIO GENERAL CONTRACTORS CORP., CONSOLIDATED EDISON OF NEW YORK, INC., TERRA DINAMICA, LLC, CORESLAB STRUCTURES, and NICOLSON CONSTRUCTION CO.,

Defendants.

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BUILDERS RESOURCE, INC.,

Third-Party Plaintiff,

-against-

BAY CRANE SERVICE INC.,

Third-Party Defendant.

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DEFENDANT BUILDERS RESOURCE, INC. ("BRI") as and for its answer to the second cross-claim of co-defendant Coreslab Structures (Conn.) Inc. ("CSCI"), by its attorneys Lambert & Weiss, respectfully alleges upon information and belief as follows:

1. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "25" of CSCI's answer and cross-claims.
2. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "26" of CSCI's answer and cross-claims.
3. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "27" of CSCI's answer and cross-claims.
4. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "28" of CSCI's answer and cross-claims.

5. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "29" of CSCI's answer and cross-claims.

6. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "30" of CSCI's answer and cross-claims.

7. Denies having knowledge of information sufficient to form a belief as to the truth thereof of the allegations contained in paragraph "31" of CSCI's answer and cross-claims.

8. BRI has moved to dismiss CSCI's first, third, fourth and fifth cross-claims against BRI, and Allard has moved to dismiss the third-party complaint against him; the time to interpose an answer to those cross-claims and third-party complaint, if such is required, is extended by FRCP Rule 12(a).

AFFIRMATIVE DEFENSE

9. The second cross-claim fails to state a claim for which relief may be granted as against BRI.

WHEREFORE, it is respectfully requested that the second cross-claim asserted by CSCI be dismissed as against BRI, with costs, fees and disbursements.

Dated: New York, New York
July 17, 2007

Yours, etc.

LAMBERT & WEISS
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Third-Party Plaintiff Builders Resource, Inc.,
and Third-Party Defendant Steven Allard*

By:



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